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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,)	Case: 2:16-mj-00043-NJK
Plaintiff,)	
vs.)	<u>Stipulation to Continue</u>
ISAAC D. MARQUEZ,)	<u>Preliminary Hearing</u>
Defendant.)	
)	

15 **IT IS HEREBY STIPULATED AND AGREED**, by and between Daniel G.
16 Bogden, United States Attorney, and Jared L. Grimmer, Assistant United States Attorneys, counsel
17 for the United States, and Rachel Korenblat, Assistant Federal Public Defender, counsel for
18 defendant Isaac D. Marquez, that the preliminary hearing date in the above-captioned matter,
19 currently scheduled for February 3, 2016, at 4:00 pm, be vacated and continued for at least thirty
20 days.

21 This stipulation is entered into for the following reasons:

22 1. The defendant is in custody, but does not object to the continuance.
23 2. Denial of this request for continuance could result in a miscarriage of justice.
24 3. The additional time requested herein is not sought for purposes of delay, but
25 to allow for the case be resolved via a pre-indictment plea. The parties are currently in plea
26 negotiations and are optimistic that this matter may be resolved prior to trial.

1 4. The additional time requested by this stipulation, is allowed, with the
2 defendant's consent under the Federal Rules of Procedure 5.1(d).

3 This is the first request by counsel.

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5 DATED this 29th day of January, 2016.

6 Respectfully submitted,
7 DANIEL G. BOGDEN
8 United States Attorney

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10 /s/
11 RACHEL KORENBLAT
12 Assistant Federal Public Defender
13 Counsel for Defendant Larson

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15 /s/
16 JARED L. GRIMMER
17 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

VS.

ISAAC D. MARQUEZ,

Defendant.

Case: 2:16-mj-00043-NJK

FINDINGS OF FACT AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The defendant is in custody, but does not object to the continuance.

2. Denial of this request for continuance could result in a

miscarriage of justice.

3. The additional time requested herein is not sought for purposes of delay, but to allow for the case be resolved via a pre-indictment plea.

4. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

5. This is the first request for a continuance of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of

1 the public and the defendant, since the failure to grant said continuance would be likely to result in
2 a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within
3 which to be able to effectively and thoroughly prepare for the preliminary hearing, and possibly
4 resolve the case prior to the preliminary hearing or an indictment, taking into account the exercise
5 of due diligence.

6 The continuance sought herein is allowed, with the defendant's consent, pursuant to
7 Federal Rules of Procedure 5.1(d).

8 **ORDER**

9 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for
10 February 3, 2016, at the hour of 4:00 pm, be vacated and continued to March 8, 2016,
11 at the hour of 4:00 p.m., in Courtroom 3B.

12 DATED 29th day of January, 2016.

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16 THE HONORABLE NANCY J. KOPPE
17 UNITED STATES MAGISTRATE JUDGE
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